

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.07 E, Closed Area No. 19-C, Foster Point to Birch Point, West Bath, promulgated November 13, 1998, is repealed and replaced by the following rule:

TEXT OF RULE: DMR Regulation 95.07 E, Closed Area No. 19-C, Dam Cove to Birch Point, West Bath

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the New Meadow River, West Bath, inside and east of a line beginning at the south side of the mouth of Dam Cove and extending southwest to the southern end of Bragdon Island, then extending southeast to the navigation light located at the southwestern end of Birch Point.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: August 28, 2000

AGENCY CONTACT PERSON: Amy M. Fitzpatrick
Department of Marine Resources
Boothbay Harbor Laboratory
W. Boothbay Harbor, ME 04475

TIMES RECORD
August 31, 2000

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals emergency DMR Regulation 95.07 E, Closed Area No. 19-C, Foster Point to Birch Point, West Bath, promulgated on November 13, 1998, and replaces it with a new rule. The new rule opens Williams and Merritt Islands for shellfish harvesting.

Department personnel have sampled and surveyed the closed area and have determined that the described closed area has several wastewater discharges and is subject to intermittent microbiological pollution, consequently the harvest of clams, mussels, oysters and quahogs therein is prohibited because they pose a threat to the public health.

A handwritten signature in black ink, appearing to read "E. Penn Estabrook", is written over the printed name.

E. PENN ESTABROOK
DEPUTY COMMISSIONER

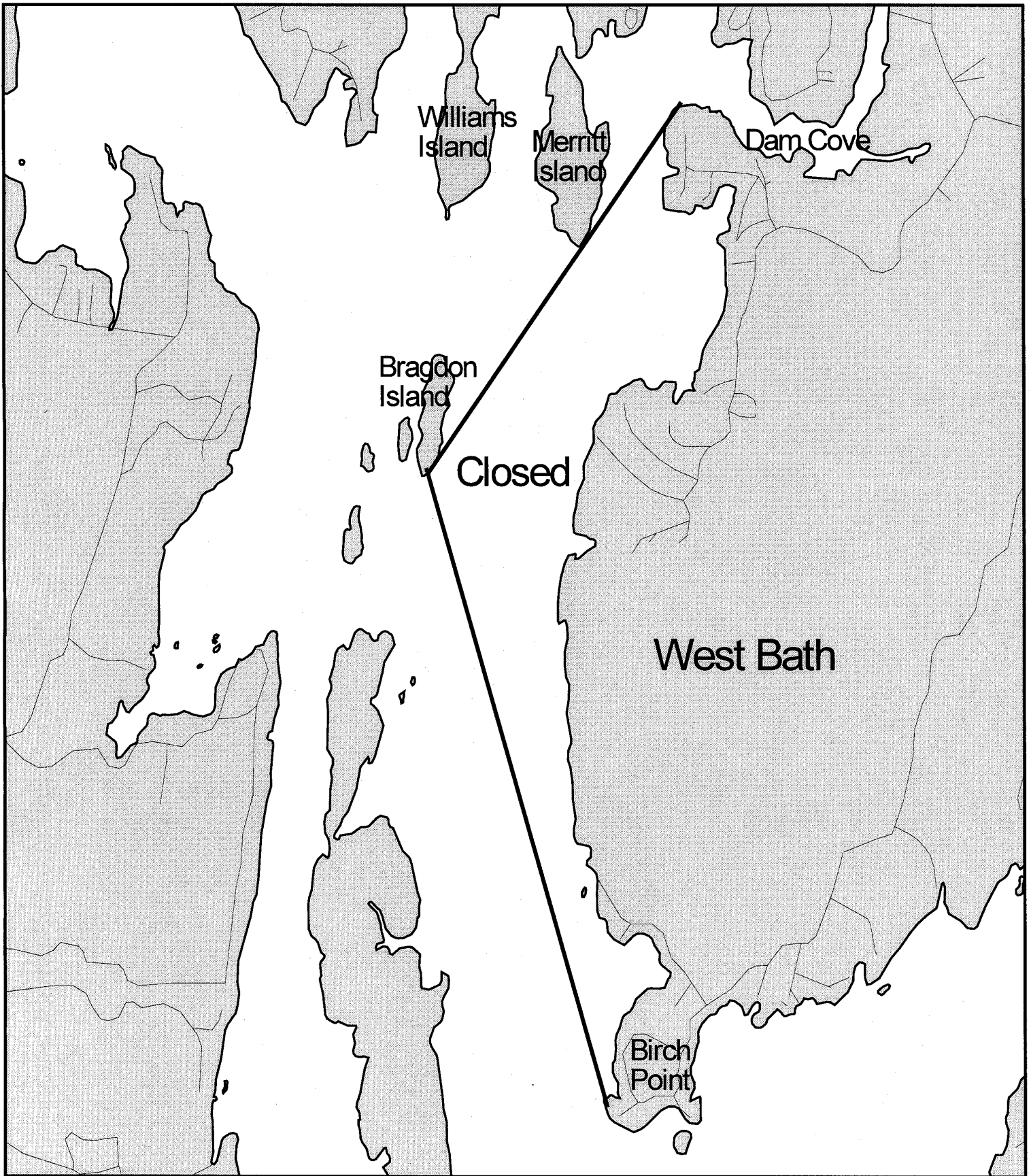


Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: West Bath

C19C Dam Cove to Birch Point, West Bath



0.3 0 0.3 0.6 Miles

